Supreme Court, U.S.
FILED
NOV 27 2006
OFFICE OF THE CLERK

No. 06-754

**In The**
**UNITED STATES SUPREME COURT**

IN RE: EILEEN VEY

MANDAMUS/PROHIBITION
(Expedition Requested)

PETITION FOR AN EXTRAORDINARY WRIT

EILEEN VEY
804 CEDAR AVENUE
PITTSBURGH PA 15212
(412) 322-3131

## QUESTION PRESENTED

I.

WHETHER THIS COURT SHOULD ORDER PA STATE, **MARBURGER**, TO CLEAR PETITIONER, EILEEN VEY, OF ALL CHARGES, SINCE SHE HAS BEEN GROSSLY DEPRIVED OF U.S. CONSTITUTION, BILL OF RIGHTS AND FEDERAL/STATE LAWS, DUE TO EXTREME PREJUDICE, **HERRERA**, 506 US 413-17, ASSERTING INNOCENTS AFTER JUDICIAL PROCESS IS EXHAUSTED.

## LIST OF PARTIES

The parties involved are Solicitor General and the Allegheny County D.A.

**In The**
**United States Supreme Court**
**America**

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**In Re: EILEEN VEY**

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*Petition For Extraordinary Writ*
(expedition requested)

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The petitioner, Eileen Vey, requests the granting of this Extraordinary writ (or certiorari) to review a 23-year (1984) Pennsylvania state case in which she has experienced a common practice of deprivations of Bill of Rights, U.S. Constitution and other law rights, which gives her the right to clearing her of charges of which time she has served.

## REPORTS BELOW

Vey submitted Appendix 3 the same petition to the Court of Common Pleas, the Pennsylvania Superior Court and the Pennsylvania Supreme Court, which was denied.

## JURISDICTION

Jurisdiction is invoked under 28 USC §§ 1251, 1257, 1651 (a), Rules 10, 17, 20 to review within 90 days (Rule 13) this Pennsylvania Supreme Court decision of October 4, 2006 (Appendix 1), this Pennsylvania Superior Court decision of September 27, 2006 (Appendix 2), and this 23-year extraordinary situation also believed of original jurisdiction (See Appendix 3, unedited due to torture).

## U.S CONSTITUTIONAL AND LAW PROVISIONS

The provisions are the Declaration of Independence, U.S. Constitution, Bill of Rights, Geneva Convention, federal (RICO) and state laws are deprivation issues in this 1984 state case.

## STATEMENT OF CASE

The petitioner is totally outraged that she has had to litigate this state case for 23 years throughout the various court systems, because of case fixing retaliations (or set-up) both of her husband's mafia connections and the mafia or political entity involved in the 1991 U.S. Senator John Heinz assassination case Vey presented in federal court, the reasons given state court system of which she appeals here.

While relying on the facts in this 1984 case to prove her innocents, the petitioner never took the stand, yet proved her innocents (had she committed any act) by the following evidence:

a) The McNaughten Rule evidence submitted by a trained medical expert that the petitioner did not know right from wrong, nor nature and quality of act, as she was suffering at the time of "Battered Wife Syndrome," PTSD, or the Stockholm Syndrome. Therefore, she was innocent of homicide and gun. (She was too poor to bribe M.D.)

b) The Justification Defense law was deprived her, after submitting evidence of "fearing for life," which evidence was acknowledged by PA Superior Court Judges on initial appeal about 1986, yet the unrepealed law was not upheld in Vey's 1984 case.

c) The U.S. Constitution and the state 18 Pa CSA Section 6101 "(b)," the "exception clause" right to carry gun laws were deprived her after meeting the criterion.

Moreover, there was evidence that the petitioner may not have been at bridge sight, evidence of other suspects, and evidence which created "reasonable doubt" of petitioner's guilt. (Petitioner was suffering memory problems at time.)

a) Two street cleaners were not brought to court for their testimony that they never admitted to seeing petitioner, where the vigilante, a suspect himself, claimed he was "pursuing' a woman. (TT evidence)

b) There was no gun powder on hand of petitioner, who submitted to a gun powder test - more evidence withheld at trial. (TT evidence)

Furthermore, there was evidence that Vey may have been set-up (the above, below and TT).

a) Also ignored was a suspect gang of men on bridge at an unusual time for 1984.

b) Witnesses said there was another woman in area and an unknown man dressed as a priest at the bridge scene, contaminated the alleged crime scene, who disappeared and who was never brought to court.

c) Detectives brought witnesses into room where only petitioner was and pointed her out to them! No legal identification of petitioner as in a line-up, ETC..

However, the laws were never upheld all this time and now after 23 years the petitioner is forced to not only continue to present the illegalities of this state case, but also present the reasons why she has not obtained rightful relief of clearing her name of the charges (homicide and gun), having served 18 years for 3$^{RD}$ degree homicide of her mafia husband and gun charge, a decision made by a state judge. So the Vey submitted a petition the all the state courts requesting the court to clear her of all the charges in this case by reopening it for all the above and the following reasons.

First, Vey explained in her unedited petition (Appendix 3) that there never would have been this 1984 case of 23 years initially if the McCandless Police had served

the outstanding warrant on Eileen Vey's mafia husband, Eugene Vey, and arrested him after getting call from people on highway, who reported (as well as Eileen) that her husband was trying to murder her by throwing her into Route #19 highway traffic, where she had foot run over, etc., which was both assault and attempted homicide, to which the police was called. Instead they warned him to escape. After accompanying both her and her mafia husband to the hospital, the police abandoned the case, left husband to escape, which aided and abetted her husband's getaway, instead of arresting her husband for attempted murder. Note the D.A. never prosecuted police, only her, who possibly was defending herself had she been on the bridge and who proved to be a member of good standing in the community and who (See Trial Transcripts evidence for all the above)

In brief, Eileen Vey was abandoned by police, who helped her mafia husband and LEFT HER TO FEND FOR HERSELF WITHOUT PROTECTION against a mafia hit and bag man, who had an army of support and who was attempting to kill both Vey and her daughter. For years she had no help from police protection from her husband's mafia and from the mafia concerning the Heinz' assassination federal case of 1991.

In Pittsburgh, Pennsylvania Western District, the entire Court system had been a prejudiced area venue, where her husband knew Judges throughout it, and where she had a 1991 federal case explaining U.S. Senator John Heinz' assassination guised as an "airplane/helicopter accident," and, since then, Vey has been stalked, oppressed and tortured 15 years in which the government has given her no protection.

Vey's mafia husband knew Judges from the Court of Common Pleas, where they were married (blood test for license from Dr. Bonanno, MD), to the Pennsylvania Supreme Court, where Judge Larsen recused himself for

knowing her husband after already judging her case (See record evidence), as well as the District Attorney. This prejudice was seen repeatedly in that the court gave her four times the sentence. (See the unedited , due to torture, petition list at Appendix 3, not an exhaustive list)

## REASON FOR GRANTING THE WRIT

The Declaration of Independence (all men created equal with equal rights), U.S. Constitution, Bill of Rights, Geneva Convention (torture with chemicals), federal (Rico) and state laws are issues list of which the petitioner has been deprived as a pattern of practice due to this prejudice criminal conspiracy in retaliations of Vey's civil rights, in which she is being deprived right to petition court with this 1984 state case, against **Herrera**, 506 US 413-17, which extraordinary circumstances warrants this court discretionary powers to either grant this writ or the alternative, order the state, **Marburger**, to grant the requested relief.

## CONCLUSION

WHEREFORE, the petitioner, Eileen Vey, request that this Court grant this writ or, alternatively, order state to grant the relief to drop the charges and clear her name.

Respectfully submitted,

Eileen Vey, pro se

**APPENDIX 1**

The Superior Court of Pennsylvania
Office of the Prothonotary
Grant Building
310 GRANT STREET, SUITE 600
PITTSBURGH, PA 15219-2297

KAREN REID BRAMBLETT, ESQ (412) 565-7592
Prothonotary Fax (412) 565-7711
Eleanor R. Valeko, Deputy

September 27, 2006

Ms. Eileen Vey
804 Cedar Avenue
Pittsburgh, PA 15212

In Re: Com of PA v. Eileen Vey, Petitioner
No 124 WDM 2006

Dear Ms. Vey:

The Court has entered the following order on your Petition For Review filed in the above-captioned matter:

**ORDER OF COURT**

"As petitioner Vey does not have an appeal pending before this Court, this court is without jurisdiction to entertain petitioner's September 26, 2006 "petition" and "IFP" and council appointment motions. **See Municipal Publications v. Court of Common Pleas of Philadelphia County**, 507 Pa. 194, 489 A.2d 1286 (1985). Therefore, this Court is unable to provide petitioner with the requested relief.
Date: September 27, 2006 Per Curiam"

Very truly yours,
Eleanor R. Valecho
DEPUTY PROTHONOTARY

ERV: bnl
CC: Michael Streily, Esquire Hon. Gerard M. Bigley, S.J.

**APPENDIX 2**

Supreme Court of Pennsylvania
Western District

John A. Vaskov, Esquire
Deputy Prothonotary
Patricia A. Nicola
Chief Clerk

804 CITY-COUNTY BLDG
Pittsburgh, PA 15219-2463
(412) 565-2816

October 4, 2006

Ms. Eileen Vey
804 Cedar Avenue
Pittsburgh, PA 15212

Dear Ms. Vey:

We are herewith returning all copies of your document titled "King's Bench Petition" received September 25, 2006, as well as the Superior Court Order entered September 27, 2006 at No. 124 WDM 2006, which you submitted as a supplement to your petition and was received on September 29th. The Court's King's Bench jurisdiction is not a means by which a case in which the judgment has become final can be re-opened to present claims such as those you put forward in your petition.

Your judgment of sentence was affirmed on direct appeal by the Superior Court (977 PGH 1986, October 22, 1987) and the Supreme Court denied your petition for allowance of appeal (540 WD Alloc. Dkt. 1987, June 8, 1088). A petition for collateral relief under the Post Conviction Hearing Act was denied by the common pleas court on August 22, 1989. Your appeal from this order was discontinued at your request. A second petition for collateral relief was dismissed on February 14, 1995. Your appeal from this order was quashed as untimely, and Superior Court affirmed this order denying your petition to appeal nunc pro tunc (1235 Pittsburgh 1995, March 18, 1996). A third

petition for collateral relief was dismissed on March 29, 2000, and Superior Court affirmed this order as well (517 WDA 2000, March 15, 2001). The common pleas court also denied relief in July of 2004, which order was affirmed by the Superior Court on April 19, 2005 (1493 WDA 2004). This Court has also twice denied your petitions for writ of habeas corpus (99 WM 2000, January 17, 2001 and 34 WM 2002, June 7, 2002.).

This summary of the procedural history of your case, which does not include the several unsuccessful attempts to obtain habeas corpus relief in the federal courts, establishes beyond doubt that the matter is final and there is no basis for accepting additional filings related to it.

Very truly yours,

Office of the Prothonotary

CC: Michael W. Streily, Esq.

**APPENDIX 3**

IN THE SUPREME COURT OF PENNSYLVANIA
WESTERN DISTRICT

| | | |
|---|---|---|
| COM OF PA | : | |
| | : | CC: 198406363 |
| V. | : | 198406555 |
| | : | |
| EILEEN VEY, | : | |
| Petitioner. | : | |

PETITION
KING'S BENCH

The petitioner, EILEEN VEY, having served 18 years for 3RD Homocide & gun charge, requests court to clear her of all the charges in this case by reopening it for the following reasons that it appears no one was reading the transcripts or ignoring them on appeals, prejudice and that there never would have been this 1984 case of 22 years if:

A. Initially, McCandless Police had:

1. Served the outstanding warrant on Eileen Vey's mafia husband, Eugene Vey.

2. Not warned her husband to get away.

3. Not aided and abetted her husband's getaway.

4. Arrested her husband for attempted murder, after getting call from people on highway, who reported (as well as Eileen) that her husband was trying to murder her by throwing her into Route #19 highway traffic, where she had foot run over, etc. It was both assault and attempted homocide, to which the police was called.

5. After accompanying both her and her mafia husband to the hospital, the police abandoned the case and left husband to escape.

In brief, Eileen Vey was abandoned by police, who helped her mafia husband and LEFT HER TO FEND FOR

HERSELF WITHOUT PROTECTION against a mafia hit and bag man, with an army of support, who was attempting to kill her and threatened to kill her daughter.

B. Pittsburgh, Pennsylvania Western District entire Court system had not been prejudiced area venue, where her husband knew Judges throughout it and area where she had a 1991 federal case explaining U.S. Senator John Heinz' assassination guised as an "airplane/helicopter accident," which kept him from running for Presidency. (Clinton, Bush and Kerry ran instead after Gov. Casey was eliminated also.)

1. District Attorney did not prosecute the police for all the above crimes, instead prosecuted Eileen Vey for defending herself, an illegal prosecution, illegal jurisdiction due to her mafia husband knowing Judges from the Court of Common Pleas, where they were married (blood test for license from Dr. Bonanno, MD), to the Pennsylvania Supreme Court, where Judge Larsen recused himself for knowing her husband after already judging her case, as well as the District Attorney.

2. Moreover, court gave her four times the sentence, after proving she was a member of good standing in her community.

3. She never should have stood trial and certainly she never had a fair trial, but received total prejudice for 22 years, where she was illegally kidnapped in a prejudicial jurisdiction. Although this is not an exhaustive list of all the problems with case, these other proofs of venue prejudice are if the petitioner been at the alleged crime scene (bridge), she was deprived of many of the laws and other evidence was ignored:

a) The McNaughten Rule evidence submitted by a trained medical expert that the petitioner did not know right from wrong, nor nature and quality of act, as she was suffering at the time of "Battered Wife Syndrome," PTSD, or the Stockholm Syndrome. Therefore, she was innocent of

homocide and gun. (She was too poor to bribe M.D.)

b) The Justification Defense law was deprived her, after submitting evidence of "fearing for life," which evidence was acknowledged by PA Superior Court Judges on initial appeal about 1986, yet the unrepealed law was not upheld in Vey's 1984 case.

c) The U.S. Constitution and the state 18 Pa CSA Section 6101 "(b)," the "exception clause" right to carry gun laws were deprived her after meeting the criterion.

d) There was evidence that the petitioner may not have been at bridge sight, evidence of other suspects, and evidence which created "reasonable doubt" of petitioner's guilt.

e) Two street cleaners were not brought to court for their testimony that they never admitted to seeing petitioner, where the vigilante, a suspect himself, claimed he was "pursuing' a woman. (TT evidence)

f) The aforementioned vigilante claimed he was in his car chasing a woman who was on foot, a woman 1) who ran faster than a car; 2) who street cleaners and policeman never saw in alleged area of bridge or on way to uptown hotel; 3) who allegedly was at North Shore bridge yet suddenly materialized uptown, where Vey was arrested. (Was the vigilante chasing to kill woman?) TT

g) A policeman's testimony of not seeing petitioner in alleged area, but stated they had someone uptown (at hotel), which evidence was denied at trial also. TT

h) Witnesses said there was another woman in area and an unknown man dressed as a priest at the bridge scene, contaminated the alleged crime scene and who disappeared.

i) There was no gun powder on hand of petitioner, who submitted to a gun powder test - more evidence withheld at trial.

j) Also ignored was a suspect gang of men on bridge at an unusual time for 1984.

k) Abandoned by lawyer on appeals and not replaced.

l) Detectives brought witnesses into room where only petitioner was and pointed her out to them! No legal identification of petitioner as in a line-up.

WHEREFORE, the petitioner, Eileen Vey, requests that all charges be dropped against her and her name cleared.

Sincerely,

Eileen Vey 9-22-06

CERTIFICATE OF SERVICE

I, EILEEN VEY, do hereby certify that a true and correct copy of this petition was served by prepaid First ~~Class~~ Mail on September 23, 2006 as follows:

UNITED NATIONS SECURITY COUNCIL
C/O UN SECRETARIAT
ONE UNITED NATIONS PLAZA
NEW YORK, NY 10017
(212) 963-1234

PRESIDENT BUSH
THE WHITEHOUSE
1600 PENNS AVE
WASHINGTON DC 20500

GOVERNOR RENDALL
GOVERNORS MANSION
2035 N FRONT STREET
HARRISBURG PA 17120

US ATTYN GENERAL
US DEPT OF JUSTICE
ALBERTO GONZALES
950 PENNS AVE NW
WASH DC 20530-0001
(202) 353-1555

PA ATTYN GENERAL
TOM CORBETT, JR
4TH FL STRAWBERRY SQ
HARRISBURG PA 17120
(717) 787-3391

STEPHEN ZAPPALLA
303 AL CO COURTHOUSE
436 GRANT STREET
PITTSBURGH PA 15219
(412) 350-4400

JUDGE GERARD M BIGLEY
504 ALL CO COURTHOUSE
436 GRANT STREET
PITTSBURGH PA 15219
(412) 350 4434

_____

EILEEN VEY, pro se
804 CEDAR AVENUE
PITTSBURGH PA 15212
(412) 322-3131

IN THE PENNSYLVANIA SUPREME COURT
WESTERN DISTRICT

| | | |
|---|---|---|
| COM OF PA | : | |
| | : | |
| VS | : | CC 198406363 and |
| | : | 198406555 |
| | : | PA SUPERIOR COURT |
| EILEEN VEY, | : | No 124 WDM 2006 |
| Petitioner | : | |

KING'S BENCH
PETITION

The petitioner, Eileen Vey, respectfully submits the attached Order entered September 27, 2006 from the Pennsylvania Superior Court in which the same data submitted here was also submitted to that Court.

Respectully yours,

Eileen Vey

CC; Michael Streily, D.A., Esquire

(1)

No. 06-754

FILED
MAR 12 2007
OFFICE OF THE CLERK
SUPREME COURT, U.S.

**IN THE**
**UNITED STATES SUPREME COURT**

IN RE: EILEEN VEY

MANDAMUS/PROHIBITION
(Expedition Requested)

PETITION FOR REHEARING

EILEEN VEY
804 CEDAR AVENUE
PITTSBURGH PA 15212
(412) 322-3131

## QUESTION PRESENTED

I.

WHETHER THIS COURT SHOULD ORDER PA STATE, **MARBURGER**, TO CLEAR PETITIONER, EILEEN VEY, OF ALL CHARGES, WHILE STILL ASSERTING INNOCENTS AFTER JUDICIAL PROCESS IS EXHAUSTED, **HERRERA**, 506 US 413-17.

**In The**
**United States Supreme Court**
**America**

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**In Re: EILEEN VEY**

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*Petition For Rehearing*
(expedition requested)

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The petitioner, Eileen Vey, requests a rehearing.

## JURISDICTION

Jurisdiction is invoked under Rule 44 of the U.S. SUPREME COURT.

## NEW MATTERS OF CONCERN

In this 1984 Pennsylvania state case:

1) in which the petitioner was tried for 1st degree homicide and a gun charge by a judge (no jury), who found her guilty of 3rd degree homicide and carrying a firearm without a license;

2) in which the defense lawyer asserted the petitioner was not guilty by reason of insanity, because the psychiatrist diagnosed her * at the time of 1984 as suffering schizo-effective disorder, latter found as a misdiagnosis, and the "Battered Wife Syndrome," thereby meeting the McNaughten requirements of not knowing right from wrong nor the nature and quality of any act;

3) in which petitioner has served the sentence of 7 years in prison and 11 years on parole with no problems and had no need of any kind of counseling, due to other psychiatrists' diagnosis refuting the former during a latter particular time frame. Although the latter psychiatrists did all agree on one thing: that the petitioner was suffering the "Battered Wife Syndrome" at the point in time of 1984. In substantiation of this, the prison system gave petitioner, Eileen Vey, the Law Library to organize for them, just as U.S. Senator McCain, who is now mentally capable in his work after previously suffering mentally from PTSD. U.S. Senator Specter had cancer, it is understood that now he does not. Whether we were healed by time, medicine, or an act of God, who knows?

Be that as it may, it has come to the attention of the petitioner that some people are falsely claiming to have mind reading abilities and is deliberately misinterpreting an unelaborated statement of petitioner in petition.

When the statement was made that had the police arrested petitioner's husband, when they had a chance, there would never had been a bridge case, that was not a confession to the bridge case, but meant that husband would have been in jail all that time and many things would not have occurred, including her having to fend for herself all that time without police protection prior to bridge, since her husband stated to petitioner that he would be in jail the rest of his life, if he went to jail for his crimes. Whether it was gang of men on bridge, ambush, whatever, petitioner does not remember, but only vaguely remembers what she was told she was suppose to have done after being arrested uptown near a hotel with memory problems some distant from the alleged crime scene. (trauma, stroke, ? cause of memory problem, no M.D. was summoned)

## CONCLUSION

Due to reasonable doubt that the petitioner was responsible for the bridge case, she respectfully requests that this Court order state to clear her of all charges in it, that is case # CC198406363 and 19846555.

Respectfully submitted,

Eileen Vey, pro se 7-10-07

## CERTIFICATE OF GOOD FAITH

The petitioner, Eileen Vey, hereby certifies that the presentation of this petition for rehearing is limited to new matters only and matters not clarified in the original petition and not intended for delay.

Sincerely,

Eileen Vey, Pro Se